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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,801

03/01/2005

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EXAMINER

BUI, BRYAN P

ART UNIT

PAPER NUMBER

2153

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,801	<b>Applicant(s)</b> DELEGUE ET AL.	
	<b>Examiner</b> BRYAN P. BUI	<b>Art Unit</b> 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7,9,11,12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7,9,11,12 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/26/2008 and 06/30/2008 has been entered.

#### **Status of Claims:**

Claims 1-6, 8, 10 and 13 have been cancelled by Applicant's amendments, therefore are not considered in this action.

Claims 7, 9, 11, 12, and 14 are pending of which claims 7, 11, 12 and 14 have been amended. Claims 7 and 12 are independent claims.

#### ***Response to Amendment***

2. Applicant's amendments to the abstract and specification of the invention have appropriately addressed the objections raised in the previous office action. Accordingly, the objections to the abstract and specification are withdrawn in view of applicant's amendments.

3. Applicant's amendment to claim 9 have appropriately addressed the objection raised in the previous office action. Accordingly, this objection is withdrawn in view of applicant's amendments.

4. Applicant's arguments with respect to the rejection of claims 8, 11 and 14 under 35 U.S.C 112, first paragraph are persuasive. Accordingly, the rejections are withdrawn in view of applicant's arguments.

### ***Response to Arguments***

5. Based upon applicant's description of basic services in the remarks filed on 06/30/2008, Examiner has reconsidered Glitho (US 6,199,066 B1) and now believes it discloses the claimed limitation (see the rejection of claim 7 below for the examiner's new interpretation). Since Dobbins (US 5,825,772) is no longer being relied upon, the applicant's argument towards that reference is considered moot.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 7, 9 and 12 are rejected under 35 U.S.C 103(a) as being unpatentable over Glitho et al.(US Pat No. 6,199,066 B1) in view of Laiho(US Pat No. 6,097,942).**

As to claim 7, Glitho discloses "[A] method of providing a plurality of services for using a telecommunications network" by providing an interface between a customer

administrative system and a plurality of database network elements (see Glitho, column 2, lines 35-36 and column 3, lines 30-32 together with Figure 2 (22)), the method comprising:

combining a plurality of basic services into at least one group of basic services [**a meta-service comprises a package of individual services**] (see Glitho, column 2, lines 39-40, and column 3, lines 60-61).

activating the basic services of the group of basic services during a single transaction, wherein the basic services of the group of basic services can only be activated when all the basic services of the group of basic services can be activated (see Glitho, column 3, lines 57-61: “meta-service activation and management agent 32” and column 5, lines 23-29).

rendering the basic services of the group inactive when at least one of the basic services in the group of basic services becomes unavailable [**If not all confirmations are received within a certain time period** (*i.e.*, “*at least one of the basic services in the group of basic services becomes unavailable*”), **it is assumed that the meta-service activation or management task was not completed in each of the identified database network elements 26. In such a situation, an unacceptable inconsistency exists between the services subscribed to by the subscriber and the services being implemented by the network. A roll-back message 58 is then generated by the interface 22 and sent to each of the database network elements 26 that responded with a confirmation message 54. In response to receipt of the roll-back message 58, the database network element 26 acts to roll-back its**

**service provision state in action 60 to return the database network element to the service provision state it was in prior to receipt of the properly formatted device specific command 50** (*i.e., “rendering the basic services of the group inactive”*)] (*emphasis added*) (see Glitho, column 5, lines 29-43).

However, Glitho fails to teach:

“assigning a group identifier to each of the basic services of the group of basic services, a number of group identifiers assigned to each of the basic services corresponding to a number of groups of basic services to which each of the basic services belongs”

Laiho, in analogous art, discloses:

assigning a group identifier to each of the basic services of the group of basic services, a number of group identifiers assigned to each of the basic services corresponding to a number of groups of basic services to which each of the basic services belongs [**one or more groups of mobile subscribers are defined, and a group identifier is assigned to each member of the group. One or more services are established for the group of mobile subscribers and are associated with the group identifier**] (see Laiho, column 2, lines 35-39).

Thus, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the method of Glitho by applying a service group approach taught by Laiho to achieve the claimed limitation of assigning a group identifier to the basic services of the group of basic services. One would be motivated to do so to more readily permit new services and subscribers to be added to a mobile

communications system with minimal signaling overhead (see Laiho, column 2 line 9-11).

As to claim 9, most of the limitations of this claim have been noted in the rejection of claim 7. It is noted, however, Glitho does not expressly disclose the claimed feature “storing the group identifiers of the group of associated basic services in a specification associated with each of the basic services that constitute the group of basic services”.

Laiho, from the same or similar field of endeavor, discloses:

storing the group identifiers of the group of associated basic services in a specification associated with each of the basic services that constitute the group of basic services [**The group identifier links each group member’s subscriber record stored in the first database section with the corresponding group services stored in the second database section**] (see Laiho, column 2, lines 49-52).

Thus, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the method of Glitho by applying a service group approach taught by Laiho to achieve the claimed limitation of storing the group identifiers of a group in a specification associated with each of the basic services that constitute the group of basic services. One would be motivated to do so to more readily permit new services and subscribers to be added to a mobile communications system with minimal signaling overhead (see Laiho, column 2 line 9-11).

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As to claim 12, it is server claim corresponding to method claim 7. Since it does not teach or define above the information in the corresponding method claim, it is rejected under same basis.

**7. Claims 11 and 14 are rejected under 35 U.S.C 103(a) as being unpatentable over Glitho (US Pat No. 6,199,066 B1) in view of Laiho (US Pat No. 6,097,942) as applied to claims 7 and 12 above, and further in view of Traversat et al.(US PGPub No. 2002/0143944 A1).**

As to claim 11, most of the limitations of this claim have been noted in the rejection of claim 7. However, neither Glitho nor Laiho discloses the claimed feature of “maintaining at least one of the basic services in the group of basic services activated when the at least one of the basic services also belongs to another group of basic services, such that all the basic services that constitute the other group of basic services are activated” Traversat, from the same or similar field of endeavor, discloses:

maintaining at least one of the basic services in the group of basic services activated when the at least one of the basic services also belongs to another group of basic services, such that all the basic services that constitute the other group of basic services are activated **[A peer group service may employ fault tolerance algorithms to provide the service at a higher level of availability than that a peer service can offer. If any one peer fails, the collective peer group service may not be affected, because the service may still be available from at least one other peer member]** (see Traversat, paragraph [0179]).



Thus, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to further combine the method of Glitho and Laiho with the teaching of Traversat. One would be motivated to do so because providing partial service is a desired feature for any service provider.

As to claim 14, it is server claim corresponding to method claim 11. Since it does not teach or define above the information in the corresponding method claim, it is rejected under same basis.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is (571)-270-1981. The examiner can normally be reached on Monday-Friday from 8:00 am to 5:00 pm (EST). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571)-272-3949. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect>.

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BB

/Kevin Bates/

Primary Examiner, Art Unit 2153